

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

TWIN SECURITIES, INC., *et al.*,

Plaintiffs,

v.

AMERICAN REALTY CAPITAL  
PROPERTIES, INC., *et al.*,

Defendants.

Civil Action No.: 1:15-cv-01291-AKH

HG VORA SPECIAL OPPORTUNITIES  
MASTER FUND, LTD.,

Plaintiff,

v.

AMERICAN REALTY CAPITAL  
PROPERTIES, INC., *et al.*,

Defendants.

Civil Action No.: 1:15-cv-04107-AKH

*(captions continued on following page)*

**[PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE**

BLACKROCK ACS US EQUITY TRACKER  
FUND, *et al.*,

Plaintiffs,

v.

AMERICAN REALTY CAPITAL  
PROPERTIES, INC., *et al.*,

Defendants.

Civil Action No.: 1:15-cv-08464-AKH

PIMCO FUNDS: PIMCO DIVERSIFIED  
INCOME FUND, *et al.*,

Plaintiffs,

v.

AMERICAN REALTY CAPITAL  
PROPERTIES, INC., *et al.*,

Defendants.

Civil Action No.: 1:15-cv-08466-AKH

CLEARLINE CAPITAL PARTNERS LP, *et al.*,

Plaintiffs,

v.

AMERICAN REALTY CAPITAL  
PROPERTIES, INC., *et al.*,

Defendants.

Civil Action No.: 1:15-cv-08467-AKH

*(caption continued on following page)*

PENTWATER EQUITY OPPORTUNITIES  
MASTER FUND LTD., *et al.*,

Plaintiffs,

v.

AMERICAN REALTY CAPITAL  
PROPERTIES, INC., *et al.*,

Defendants.

Civil Action No.: 1:15-cv-08510-AKH

ETON PARK FUND, L.P. and ETON PARK  
MASTER FUND, LTD.,

Plaintiffs,

v.

AMERICAN REALTY CAPITAL  
PROPERTIES, INC., *et al.*,

Defendants.

Civil Action No.: 1:16-cv-09393-AKH

RELIANCE STANDARD LIFE INSURANCE  
COMPANY, *et al.*,

Plaintiffs,

v.

AMERICAN REALTY CAPITAL  
PROPERTIES, INC., *et al.*,

Defendants.

Civil Action No.: 1:17-cv-02796-AKH

Pursuant to the Joint Motion for Dismissal with Prejudice Pursuant to Rule 41(a)(2) (the “Motion”) filed in the above-captioned actions on October 8, 2018, by the Plaintiffs in those actions and Defendants VEREIT, Inc., formerly known as American Realty Capital Properties, Inc., and VEREIT Operating Partnership, L.P., formerly known as ARC Properties Operating Partnership, L.P., and for good cause appearing;

**IT IS ORDERED** that the Motion is **GRANTED**. All claims filed by Plaintiffs against all defendants in the above-captioned actions are hereby **DISMISSED WITH PREJUDICE**. Each party shall bear its own costs, expenses and attorneys’ fees.

The Clerk of Court is directed to terminate the following Motions and **CLOSE** these cases.

- *BlackRock ACS US Equity Tracker Fund, et al. v. American Realty Capital Properties, Inc., et al.*, No. 1:15-cv-08464-AKH, Dkt. No. 159
- *Clearline Capital Partners LP, et al. v. American Realty Capital Properties, Inc., et al.*, No. 1:15-cv-08467-AKH, Dkt. No. 152
- *Eton Park Fund, L.P., et. al. v. American Realty Capital Properties, Inc., et al.*, No. 1:16-cv-09393-AKH, Dkt. No. 171
- *HG Vora Special Opportunities Master Fund, Ltd. v. American Realty Capital Properties, Inc., et al.*, No. 1:15-cv-04107-AKH, Dkt. No. 184
- *Pentwater Equity Opportunities Master Fund Ltd., et al. v. American Realty Capital Properties, Inc., et al.*, No. 1:15-cv-08510-AKH, Dkt. No. 149
- *PIMCO Funds: PIMCO Diversified Income Fund, et al. v. American Realty Capital Properties, Inc., et al.*, No. 1:15-cv-08466-AKH, Dkt. No. 150
- *Reliance Standard Life Ins. Co., et al. v. American Realty Capital Properties, Inc. et al.*, No. 1:17-cv-02796-AKH, Dkt. No. 136
- *Twin Securities, Inc., et al. v. American Realty Capital Properties, Inc., et al.*, No. 1:15-cv-01291-AKH, Dkt. No. 200

SO ORDERED

Dated:           October \_\_, 2018  
                  New York, New York

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ALVIN K. HELLERSTEIN  
United States District Judge